

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**PURDUE PHARMA L.P., et al.,  
  
Debtors.<sup>1</sup>**

**Chapter 11**

**Case No. 19-23649 (RDD)**

**Jointly Administered**

**THIRD SUPPLEMENTAL DECLARATION OF ALYSSA DACUNHA IN SUPPORT OF  
APPLICATION OF DEBTORS FOR AUTHORITY TO RETAIN AND EMPLOY  
WILMER CUTLER PICKERING HALE AND DORR LLP AS SPECIAL COUNSEL  
NUNC PRO TUNC TO THE PETITION DATE**

I, Alyssa DaCunha, declare as follows:

1. I am a partner in the firm of Wilmer Cutler Pickering Hale and Dorr LLP (“WilmerHale”) and practice out of WilmerHale’s offices located at 1875 Pennsylvania Avenue, N.W., Washington, D.C. 20006.

2. On November 5, 2019, the Debtors filed their Application of Debtors for Authority to Retain and Employ Wilmer Cutler Pickering Hale and Dorr LLP as Special Counsel *Nunc Pro Tunc* to the Petition Date [Dkt. No. 428] (the “Application”). In support of the Application, my former partner, Reginald Brown, submitted a declaration (the “Original Declaration”) attached to the Application as Exhibit B.

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Avrio Health L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick Land L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717) and SVC Pharma Inc. (4014). The Debtors’ corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

3. On November 25, 2019, this Court entered the Order Authorizing the Retention and Employment of Wilmer Cutler Pickering Hale and Dorr LLP as Special Counsel for the Debtors *Nunc Pro Tunc* to the Petition Date [Dkt. No. 544].

4. On January 1, 2020, Mr. Brown submitted a supplemental declaration in support of the Application [Dkt. 732] (the “First Supplemental Declaration”), The retention of WilmerHale by the Debtors ended as of March 5, 2021. On March 24, 2021, I submitted a further supplemental declaration with respect to the Application [Dkt. 2557] (the “Second Supplemental Declaration” and, with the Original Declaration and the First Supplemental Declaration, the “Prior Declarations”).

5. On April 29, 2021, the United States Trustee filed a Motion to Approve Compromise Motion of United States Trustee Pursuant to Sections 105(a), 327, 328 and 330 of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure for Entry of an Order Approving (1) Settlement Agreement with Skadden Arps Slate Meagher & Flom, LLP, Wilmer Cutler Pickering Hale and Dorr, LLP, and Dechert, LLP and (2) Certain Releases by the Debtors [Dkt. 2763] (the “Settlement Motion”). The Settlement Motion and the settlement described therein, as such settlement was amended by the Amended (1) Settlement Agreement Between the United States Trustee, Skadden Arps Slate Meagher & Flom, LLP, Wilmer Cutler Pickering Hale and Dorr, LLP, and Dechert, LLP and (2) Certain Releases by the Debtors filed on May 20, 2021 [Dkt. 2888] (the “Settlement Stipulation”), were approved by the Court through an Order Pursuant to Sections 105(a), 327, 328 and 330 of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure Approving (1) Settlement Agreement Between the United States Trustee, Skadden Arps Slate Meagher & Flom, LLP, Wilmer Cutler Pickering Hale

and Dorr, LLP, and Dechert, LLP and (2) Certain Releases by the Debtors dated as of May 20, 2021 [Dkt. 2890].

6. Pursuant to paragraph 1 of the Settlement Stipulation, WilmerHale agreed to file a supplement to the Prior Declarations to reflect any common interest or joint defense agreement that WilmerHale entered into on behalf of Debtors with any party in interest identified in the most recent list provided by Debtors' bankruptcy counsel (the "PIIL"). On May 24, 2021, through an email sent to all of its attorneys and attaching the PIIL, WilmerHale requested that its attorneys disclose any such common interest or joint defense agreement by 5:00 p.m. Eastern Time on May 26, 2021 (the "Supplemental Internal Inquiry").

7. Apart from the following, and based on its Supplemental Internal Inquiry, WilmerHale is not aware of any common interest or joint defense agreement that would require additional disclosure under the terms of the Settlement Stipulation:

- (a) In May 2018, WilmerHale, on behalf of Purdue, executed a memorandum of understanding (the "MOU") regarding joint defense and common interest agreement with the following parties (including members of the Sackler family who were the beneficial owners of Purdue) who were separately represented by other law firms: Heatheridge Trust Company Limited, in its capacity as trustee of a settlement dated December 31, 1993 and known as the Beacon Trust; Hillside Trust Company Limited, in its capacity as trustee of a settlement dated March 16, 1998 and known as the Milton Trust; Dame Theresa E. Sackler; Ms. Ilene Sackler Lefcourt; Ms. Samantha Sackler Hunt; Dr. Kathe A. Sackler; Mr. Mortimer D.A. Sackler; Mr. Jacques Theurillat; and Mr. Cecil Pickett. Other parties in interest subsequently signed on to the MOU, through their separate counsel, including Beverly Sackler;

Richard S. Sackler, MD; Jonathan D. Sackler; David A. Sackler; Peter Boer; Paulo F; Costa; Ralph Snyderman; and Stuart D. Baker; Rhodes Pharmaceutical L.P.; Rhodes Pharmaceutical Inc.; Rhodes Technologies; and Rhodes Technologies Inc.

- (b) In connection with its pre-petition representation of the Debtors, WilmerHale, on behalf of the Debtors, formed oral common interest agreements with certain directors, officers, employees, and other representatives and counterparties of the Debtors, primarily through their separate counsel, in the time period of approximately 2002 to 2007. WilmerHale does not maintain a database specifically to identify the counterparties to such oral agreements. In connection with the Supplemental Internal Inquiry, WilmerHale has endeavored in good faith to identify those directors, officers, employees, and other representatives of the Debtors with whom it formed such oral common interest agreements on behalf of the Debtors and who are listed on the PIIL. Based upon such efforts, WilmerHale hereby discloses that the directors, officers, employees, and other representatives and counterparties of the Debtors with whom WilmerHale formed or may have formed such oral common interest agreements and who are or may be listed on the PIIL are the following: Dr. David Haddox, Edward Mahony, members of the Sackler family who were members of the board of directors of the Debtors from 2004 to 2007, numerous sales representatives and managers of the Debtors, and certain personnel of IAF Corporation.

Pursuant to 28 U.S.C. § 1746, I declare that the foregoing is true and correct to the best of my knowledge.

Dated: June 15, 2021  
Washington, D.C.

By: /s/ Alyssa DaCunha  
WILMER CUTLER PICKERING HALE  
AND DORR LLP

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*Former Special Counsel to the Debtors and  
Debtors in Possession*